

**REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 31-50 were pending in the application, of which Claim 31 is independent. Claims 27-30 have been withdrawn from consideration. In the Office Action dated March 5, 2003, Claims 31-33 and 46-50 were rejected under 35 U.S.C. §103(a) and Claims 34-45 were objected to, but were deemed allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Following this response, Claims 31-50 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Office Action dated March 5, 2003, the Examiner rejected Claim 31 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,897,681 ("*Lysson*") in view of Japanese Patent No. JP 8-91862 ("*JP '862*"). Applicants respectfully traverse this rejection because combining *Lysson* with *JP '862* would not have led to the claimed invention.

Claim 31 is patentably distinguishable over the cited art in that it recites, for example, a drawing furnace for drawing an optical preform into an optical fiber or into another preform having a smaller diameter, said furnace comprising a furnace body having an upper end and a lower end and comprising at least a susceptor, an induction coil and an insulating material disposed between said susceptor and said induction coil, and a top chimney connected to the upper end of said furnace body, said top chimney comprising a mechanical seal for avoiding inlet of ambient air into the furnace, and a

bottom chimney connected to the lower end of said furnace, wherein said top chimney comprises on its upper portion a distributor body through which conditioning gas is uniformly introduced into the top chimney and forcedly directed in a downward direction towards said furnace body, and wherein said bottom chimney comprising at least a lower portion with a decreasing cross-sectional area from the top to the bottom of the bottom chimney in a plane perpendicular to the longitudinal axis.

In contrast, *Lysson* at least does not teach or suggest a distributor body through which conditioning gas is uniformly introduced into the top chimney and forcedly directed in a downward direction towards said furnace body. For example, *Lysson* discloses providing gas perpendicular to the preform, not downward. The arrows in *Lysson's* figure merely show the direction the gas eventually takes. This arrangement is explicitly distinguished in our specification at page 9, lines 15-20.

Furthermore, *JP '862* does not overcome *Lysson's* deficiencies. While *JP '862* is directed toward an optical-fiber wire-drawing method, it says nothing about a gas being "uniformly introduced" or "forcedly directed". Like *Lysson*, *JP '862* at least does not teach or suggest a distributor body through which conditioning gas is uniformly introduced into the top chimney and forcedly directed in a downward direction towards said furnace body.

Combining *Lysson* with *JP '862* would not have led to the claimed invention because *Lysson* and *JP '862*, either individually or in combination, at least do not disclose or suggest a distributor body through which conditioning gas is uniformly introduced into the top chimney and forcedly directed in a downward direction towards said furnace body, as recited by Claim 31. Accordingly, independent Claim 31

patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claim 31.

Dependent Claims 32-33 and 46-50 are also allowable at least for the reasons above regarding independent Claim 31, and by virtue of their dependency upon independent Claim 31. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 32-33 and 46-50.

Claims 34-45 were objected to, but were deemed allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants respectfully request withdrawal of the objection to dependent Claims 34-45 at least for the reasons above regarding independent Claim 31, and by virtue of their dependency upon independent Claim 31.

## II. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER <sup>LLP</sup>

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 11, 2003

By: 

D. Kent Stier  
Reg. No. 50,640  
(404) 653-6559

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)